

REMARKS/ARGUMENTS

The present amendment is submitted in response to the Office Action dated August 9, 2006, which set a three-month period for response, making this amendment due by November 9, 2006.

Claims 1, 3-8, 11 and 13-15 are pending in the application.

A number of the claims have been amended to address the Examiner's 35 U.S.C. 112 concerns. In particular, in claims 1 and 4 the "and/or" language has been changed. In claim 11, a comma has been added to clarify the listing. In pending claims 8 and 11, the term "Kevlar" has been deleted. However, the Examiner's objection to the use of the term "or" in claims 1 and 15 is not understood. Pursuant to MPEP 2173.05(h) II. the use of the alternative expression "or" is proper, and acceptable examples are provided.

The Examiner has rejected, among others, claim 1 as being anticipated by Brogan. Therefore, to more clearly point out the distinctions between the present application and the Brogan reference, claim 1 has been amended. In particular, claim 1 now indicates that the threat protection means are in the form of a plurality of circular tubes. Claim 1 also now indicates that the threat protection means are adapted to provide protection against one or more attack threats. In this regard, the last paragraph of MPEP 2173.05(g) indicates that such "adapted to" language serves to precisely define structural attributes. In the present situation, this structural attribute of the threat protection means of Applicant's amended claim 1 provides a clear distinction over the Brogan reference.

Brogan relates to hollow core panels, and in particular simple truss core panels designed for lightweight structural strength (which is the opposite situation of amended claim 1 of the present application, where the system is designed to

collapse, and not for structural strength, as will be explained in greater detail subsequently). In this connection, Brogan quite clearly requires that the tubes thereof have an equilateral triangular cross-sectional shape, in distinct contrast to Applicant's circular tubes as now defined in amended claim 1.

The purpose of the Brogan panels is to provide high structural strength at lighter weights, hence the interlocking truss design that is typical of aircraft structural parts, such as wing panels. In contrast, the objective of the tubes of Applicant's claim 1 is not to provide structural integrity, but rather to provide a casing in which various materials or tubular components can be inserted in order to defeat specific attack threats. The circular design of the tubes is critical to the success of the system, in as much as the round surface deflects blasts and reroutes blast energies as well as deflects high ballistic objects from their intended target and furthermore absorbs some ballistic energy. In contrast to the thick wall panels of Brogan, Applicant's circular tubes are actually thin walls. When Applicant's circular tubes are not "loaded" with a tubular component or material, the empty tubes are actually designed to collapse to absorb energy, which is the exact opposite of the structural integrity objective of Brogan. If Applicant's circular tubular components are pressurized with inert gas, such as nitrogen, their ability to collapse under pressure assures the release of the high pressure nitrogen, instantaneously cooling the entire surface area and counteracting thermal waves associated with certain blast attacks. It should furthermore be noted that the arrangement of Applicant's circular tubes provides for air space between the outer walls of the tubes, and not just within the tubes, as is the case with Brogan, where the required triangular design causes all the tubes to abut one another, allowing for no air space between them.

In view of the foregoing discussion, Applicant respectfully submits that claim 1 as amended should now be patentable over the Brogan reference. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call from him in order to discuss any outstanding issues and to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert - Becker", written over a horizontal line.

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